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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,601	08/31/2001	Kia Silverbrook	AP72US	7470

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SILVERBROOK RESEARCH PTY LTD
393 DARLING STREET
BALMAIN, 2041
AUSTRALIA

EXAMINER

KIM, PETER B

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,601

Applicant(s)

SILVERBROOK, KIA

Examiner

Peter B. Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/436,750.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 13, 2004 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobry (6,229,565).

Bobry discloses an apparatus for recording and generating images (Fig. 1) comprising: a printing unit (26) that comprises a carrier (Fig. 3), a page width print head (30), an ink supply (30), a media cartridge for holding a roll of media (28), a media feed mechanism (col. 5, lines 25-43), a housing (col. 4, lines 35-40), an image sensing device (14) with an microprocessor with data bus connected across the image sensing device, the microprocessor and the image recordal apparatus (Fig. 7) to control the operation of the image sensing device and communicating with the printing unit (col. 7, lines 15-67).

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Bobry also discloses carrier that is substantially rectangular (Fig. 1 and 3) with the print head and the ink supply mounted on an end portion and the media feed mechanism at intermediate the end portion and a remaining portion (Fig. 1). Although Bobry does not disclose the carrier that is dimensioned to a PCMCIA card and sheets of media, it would have been obvious to one of ordinary skill in the art at the time of the invention to decrease the size of the camera and the printing unit including the carrier to the smallest possible size because it is well known in the art that smaller size is desired for convenience of easy handling and carrying. It would also have been obvious to one of ordinary skill in the art to provide cut sheets of media instead of the roll because unlike a roll, with the cut sheets the cutting means is not needed, and having one less structure helps decreasing the size of the carrier which is desirable in the art for the reasons of convenience.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobry as applied to claim 1 above, and further in view of Hawkins et al. (Hawkins) (6,154,254).

The further difference between the modified Bobry and the claimed invention is the CMOS device that is the image sensing device. Hawkins discloses in the abstract and in col. 3, lines 31-53, an image capture and printing system with image sensor that is a CMOS device. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to further modify the invention of Bobry with the CMOS device of Hawkins in order to transfer in parallel to the printing device electron charges or voltage signal from the sensor as taught by Hawkins in col. 3, lines 35-40.

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Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobry as applied to claim 1 above, and further in view of Kokubo (6,007,195).

The further difference between the modified Bobry and the claimed invention is the PCMCIA-type connectors. Kokubo discloses a detachable scanning printer with a PCMCIA interface (Fig. 1) with at least half the carrier, which is dimensioned to approximate a PCMCIA memory card, is received in the housing (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide the scanning printer unit of Kokubo to the invention of McIntyre in order to provide an interface between the camera and the printer unit as taught by Kokubo in col. 1, lines 40-61 to provide more effective communication between the printer and the camera.

Response to Arguments

Applicant argues that Bobry does not teach a detachable printer. However, Bobry does teach that the housing “could also be made up of separable connectable units.” Col. 4, lines 35-40. Although Bobry prefers a single housing, the separate housing is still being taught by Bobry.

Bobry discloses the claimed invention except for the size of the carrier that approximates the dimension of PCMCIA memory card. It would have been obvious to one of ordinary skill in the art at the time the invention was made to change the size, since it has been held that changing the size only involves routine skill in the art. *In re* Rose, 105 USPQ 237 (CCPA 1955); *In re* Reese, 129 USPQ 402 (CCPA 1961); *In re* Lindberg, 93 USPQ 23 (CCPA 1952).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter B. Kim whose telephone number is (571) 272-2120.

The examiner can normally be reached on 8:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Peter B. Kim
Primary Examiner
Art Unit 2851

August 5, 2004